

**IN THE UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF VIRGINIA
ABINGDON DIVISION**

UNITED STATES OF AMERICA

v.

**Criminal Case No.
1:19cr00016**

**INDIVIOR, INC., (a/k/a Reckitt Benckiser
Pharmaceuticals Inc.), and
INDIVIOR, PLC,
Defendants**

SCHEDULING ORDER

In order to ensure the timely and efficient trial of this criminal case, the following pretrial deadlines are established:

1. This case is set for jury trial for seven weeks beginning May 11, 2020, before U.S. District Judge James P. Jones in Abingdon;
2. Any motion filed in this case must state the grounds on which it is based and the relief or order sought. Motions raising questions of law must be supported by legal memoranda filed contemporaneously with the motion. The response to any motion shall be filed within 14 days of the date of filing of the motion. Any reply shall be filed within seven days of the filing of the response. If any party desires a hearing on a motion, the hearing may be requested with the court prior to, or at the time of, the filing of the motion or response. Otherwise, it will be considered that the motion is submitted for decision without hearing;

3. The defendants' Motion For An Extension Of Time To File A Motion For A Bill Of Particulars, (Docket Item No. 38), is **GRANTED**, and the deadline by which the defendants shall file any motion for a bill of particulars and/or any other motion attacking the sufficiency of the charges or the charging Indictment against the defendants is extended to September 10, 2019;
4. The Government shall provide defense counsel with all materials currently within its care, custody or control which are described in Fed. R. Crim. P. 16(a)(1), with the exception of reports of examination and tests as described in Fed. R. Crim. P. 16(a)(1)(F) and expert reports as described in Fed. R. Crim. P. 16(a)(1)(G), and shall provide defense counsel with all materials described in *Brady v. Maryland*, 373 U.S. 83 (1963), and related cases, including *United States v. Giglio*, 405 U.S. 150 (1972) (impeachment evidence), by no later than August 9, 2019;
5. The defendants shall provide counsel for the Government with the materials described in Fed. R. Crim. P. 16(b), with the exception of reports of examination and tests as described in Fed. R. Crim. P. 16(b)(1)(B) and expert reports as described in Fed. R. Crim. P. 16(b)(1)(C), by no later than November 8, 2019;
6. The Government shall provide defense counsel with the reports of examinations and tests as described in Fed. R. Crim. P. 16(a)(1)(F) and expert reports as described in Fed. R. Crim. P. 16(a)(1)(G), by no later than January 10, 2020;
7. The defendants shall provide counsel for the Government with the reports of examinations and tests as described in Fed. R. Crim. P.

16(b)(1)(B) and expert reports as described in Fed. R. Crim. P. 16(b)(1)(C) by no later than February 11, 2020;

8. The Government shall provide defense counsel with notice of any evidence it intends to offer (including any testimony it intends to elicit) pursuant to Fed. R. Evid. 404(b) by February 11, 2020. The defendants shall file any objections to the Government's Rule 404(b) notice within 14 days of the date of filing of the notice. The Government shall file any reply to the defendants' objections to the Government's Rule 404(b) notice within seven days;
9. The Government shall file a list of the witnesses and exhibits it intends to introduce in its case-in-chief at trial by no later than February 11, 2020;
10. The defendants shall file a list of the witnesses and exhibits they intend to introduce at trial by no later than March 11, 2020;
11. The parties shall file any motions in limine by no later than March 24, 2020;
12. The Government shall file its proposed jury instructions and verdict form by no later than March 11, 2020. The defendants shall file their objections to the Government's proposed jury instructions and verdict form and their proposed jury instructions and verdict form by no later than March 25, 2020. The Government shall file any response to the defendants' objections and/or any objections to the defendants' proposed jury instructions and verdict form by no later than April 8, 2020;

13. **A final pretrial conference is set before Judge Jones for 9 a.m., April 27, 2020.** Any motions in limine, as well as any pretrial motion or objection not previously heard by the court, will be heard at the pretrial conference;
14. All parties have a continuing duty to supplement any prior disclosures in a prompt manner when material not previously disclosed is discovered through ongoing investigation;
15. **A status conference is set by conference call before U.S. Magistrate Judge Pamela Meade Sargent at 11 a.m. on July 31, 2019;**
16. The defendants shall respond to the sealed Government's motion, (Docket Item No. 74), by no later than July 31, 2019; and
17. The Defendants' Motion For Entry Of Scheduling Order, (Docket Item No. 66), is **GRANTED IN PART AND DENIED IN PART** as set forth above.

It is so **ORDERED**.

ENTERED: July 16, 2019.

/s/ *Pamela Meade Sargent*
UNITED STATES MAGISTRATE JUDGE